

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*In re* Application of:

Rothermel and Williams

Serial No.: 09/061,417

Filed: February 13, 2001

For: METHODS AND COMPOSITIONS  
RELATING TO MUSCLE SELECTIVE  
CALCINEURIN INTERACTING  
PROTEIN (MCIP)

Group Art Unit: 1653

Examiner Samuel W. Liu

Atty. Dkt. No.: MYOG:036US/HYL

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CERTIFICATE OF MAILING 37 C.F.R. § 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date below:	
<u>July 1, 2003</u> Date	<u>[Signature]</u> Steven L. Highlander

**DECLARATION OF BEVERLY ROTHERMEL AND R. SANDERS WILLIAMS**

**UNDER 37 C.F.R. §1.131**

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

We, Beverly Williams and R. Sanders Williams, do declare the following:

1. We are citizens of the United States. Beverly Rothermel resides at 1409 Schumac Lane, Bedford, TX 76022 and R. Sanders Williams resides at 2 Pilling Place, Durham, NC 27707.

2. R. Sanders Williams currently holds the position of Dean of the Medical School at Duke University. Beverly Rothermel currently holds the position of Assistant Professor at The University of Texas Southwestern Medical Center at Dallas.
3. R. Sanders Williams is the first inventor listed as an inventor in the above-captioned application and Beverly Rothermel is the second inventor listed as an inventor for the same.
4. "Methods and Compositions Relating to Muscle Selective Calcineurin Interacting Protein (MCIP)" was conceived followed by diligence prior to the cited reference Fuentes *et al.*, July 1, 2000. As support of this statement, we have attached to this Declaration the intellectual property questionnaire for this invention. This questionnaire shows conception and possession of the invention prior to the cited reference, which was followed subsequently with diligent research up to the time of filing.

5. I hereby declare that all statements made of my own knowledge are true and all statements made on information are believed to be true and further that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this application or any patent issued thereon.

\_\_\_\_\_  
Date

6/27/03  
\_\_\_\_\_

Date

\_\_\_\_\_  
Beverly Rothermel

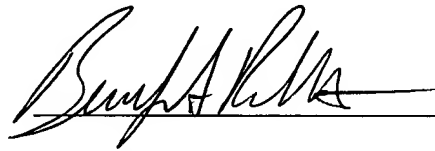


\_\_\_\_\_  
R. Sanders Williams

5. I hereby declare that all statements made of my own knowledge are true and all statements made on information are believed to be true and further that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this application or any patent issued thereon.

6/11/03

Date



Beverly Rothermel

\_\_\_\_\_  
Date

\_\_\_\_\_  
R. Sanders Williams